

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

REGULAR MEETING

NOVEMBER 1, 2005

COUNTY COMMISSIONERS

**Jennifer Hill, Chairman
Catherine C. Hanson, Vice Chairman
Robert A. Pool, District #2
Debbie Stivender, District #3
Welton G. Cadwell, District #5**

**Cindy Hall, County Manager
Sanford A. Minkoff, County Attorney
James C. Watkins, Clerk to the Board**

DISCLAIMER

This booklet has been prepared for the convenience of the Board of County Commissioners in discussing matters before them. Every effort has been made to include all items to be discussed at this Board of County Commissioners meeting, however, Commissioners may add items, which are not a part of this Agenda, or items may be removed from consideration. While it has been the goal to present error-free information, we do not represent that documentation is without errors or omissions.

As a part of any public and formal meeting, the Board of County Commissioners may, from time to time, schedule a workshop during which they will receive information from staff, have discussions with staff and among themselves, and then proceed to give staff direction on the subject matter being discussed unless otherwise shown on the Agenda item. These discussions and workshops do not take the place of the formal public hearing process during which all public comment and formal action is taken.

The Board and staff welcome written comments prior to workshops and other meetings. If you have comments or questions regarding the subject matter of any Board action or workshop, please deliver your written comments to appropriate County staff or mail to the Board of County Commissioners, Post Office Box 7800, Tavares, FL 32778.

ITEMIZED AGENDA

November 1, 2005

9:00 A.M. Invocation

Pledge of Allegiance

I. AGENDA UPDATE

Discussion regarding proposed revisions to today's Agenda.

II. MINUTE APPROVAL

Tab 1 Approval of the following Minutes:

September 19, 2005	Special Meeting
October 4, 2005	Regular Meeting
October 10, 2005	Regular Meeting
October 11, 2005	Regular Meeting

III. CLERK OF COURT'S CONSENT AGENDA

Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 12):

1. Contractor Bonds – New, Cancellations, Rider, and Endorsement – Approval.
2. List of warrants paid prior to this meeting, pursuant to Chapter 136 of the Florida Statutes, which shall be incorporated into the Minutes as attached Exhibit A and filed in the Board Support Division of the Clerk's Office – Acknowledge receipt.
3. Monthly Distribution of Revenue Traffic/Criminal Cases for the Month Ending September 30, 2005, in the amount of \$159,121.78. Same period, last year - \$81,515.27 – Acknowledge receipt.
4. Village Center Community Development District – Adopted Budget for Fiscal Year 2005-2006, submitted in accordance with Chapter 190.008(2)(b)(c), Florida Statutes – Acknowledge receipt.

5. St. Johns River Water Management District Fiscal Year 2005-2006 Budget, as required by Section 373.563(6)(a), Florida Statutes – Acknowledge receipt.
6. Southwest Florida Water Management District Budget In Brief – Fiscal Year 2006 Annual Service Budget, which was adopted by the Governing Board on September 27, 2005, pursuant to the provisions of Section 373.536(6)(a)(1), Florida Statutes - Acknowledge receipt.
7. Lake County Water Authority's Final Budget for Fiscal Year 2005-2006 – Acknowledge receipt.
8. Country Club of Mount Dora Community Development District's Annual Financial Report for units of Local Government, for the Fiscal Year ended September 30, 2004, along with a copy of the District's Audited Financial Statements for the same period, in accordance with Chapter 189.418, Florida Statutes – Acknowledge receipt.
9. Ordinances from the City of Mascotte, as follows – Acknowledge receipt:

Ordinance Number 2005-07-397, annexing certain real property (159.5 +/- acres) into the City of Mascotte, upon the voluntary petition of the owner of all of the property to be annexed, filed with the City by Leininger – Law Partnership (Bobby and Lorene Leininger and William and Julie Law), redefining the boundary lines of the City, to include said real property. passed and adopted by the City Council of the City of Mascotte, Lake County, Florida, at a Regular council Meeting, the 10th day of October 2005.

Ordinance Number 2005-09-403, amending Ordinance Number 2005-03-377 (to correct the legal property description, by adding the omitted portion), annexing certain real property (6.6 +/- acres) into the City of Mascotte, upon the voluntary petition of the owner of all of the property to be annexed, filed with the City by Flagship Development LLC (Richard and Janet Webber), redefining the boundary lines of the City, to include said real property. Passed and adopted by the City Council of the City of Mascotte, Lake County, Florida, at a Regular Council Meeting, the 10th day of October 2005.

10. Ordinance Number 2005-09-402, from the City of Mascotte, amending Ordinance Number 2005-07-385 (to correct legal property description), that, under the Code of Ordinance of the City of Mascotte, pursuant to Section 171.044, Florida Statutes, annexed certain real property into the City of Mascotte. Passed and adopted by the City Council of the City of Mascotte, at a Regular Council Meeting, held the 26th day of September 2005 – Acknowledge receipt.
11. Notice of Public Hearing from the City of Tavares – Notice is hereby given that the City of Tavares will consider the enactment of proposed Ordinances, as follows – Acknowledge receipt:
Ordinance Number 2005-42, amending the boundaries of the City of Tavares, by annexing approximately 4.74 acres located on the eastern side of State Road 19, approximately six-tenths of a mile south of the intersection of Dead River Road and State Road 19; rezoning the property from Lake County A (Agriculture) to the City of Tavares C2 (Highway Commercial).
Ordinance Number 2005-43, amending the Tavares Comprehensive Plan Future Land Use Map 2010, providing for a change of future land use designation from Lake County Urban Expansion to City of Tavares commercial, for property located on the eastern side of State Road 19, approximately six-tenths of a mile south of the intersection of Dead River Road and State Road 19.
The proposed Ordinances will be considered at the following public meetings, to be conducted in the Tavares City Council Chambers, at City Hall, located at 201 East Main Street, Tavares, Florida: Tavares Planning and Zoning Meeting on October 20, 2005, at 3:00 p.m.; Tavares City Council Meeting on November 2, 2005, at 5:00 p.m.; and Tavares City Council Meeting on November 16, 2005, at 5:00 p.m.
12. Fire Management Program and Cooperative Forestry Assistance Program Annual Report for July 1, 2004 through June 30, 2005, from the Florida Department of Agriculture and Consumer Services – Acknowledge receipt.

RECOMMENDATION: Approval

IV. COUNTY MANAGER'S CONSENT AGENDA (Tabs 3 through 19)

A. Budget

- Tab 3 1. Budget transfer – County Fire Control Fund, Department of Public Safety, Fire Rescue Division. Transfer \$142,416.00 from Reserve for Operations to Personal Services. The Department of Public Safety, Fire Rescue Division, has determined a need to hire six firefighter positions for the Sorrento/Lake Norris area as soon as possible due to the renovations to that station being completed sooner than expected. These six firefighters were approved in the fiscal Year 2006 budget as being funded for six months, and due to begin service in or around April 2006. This budget transfer will provide for 12-month funding for these employees. Funds available in Reserve for Operations.

RECOMMENDATION: Approval

- Tab 4 Approval of very low-income and low-income impact fee waivers as refunds to lenders on behalf of qualified individuals.

RECOMMENDATION: Approval

B. Community Services

- Tab 5 Approval of annual grant funding for the children's service providers listed who have submitted applications for the 2005-2006 County funds through the Citizen's Commission for Children's (CCC) Request for Proposal (RFP) process; authorization for signatures on subsequent agreements contingent on County Attorney approval; and authorization to encumber and expend funds.

RECOMMENDATION: Approval

- Tab 6 Approval of the Addendum Florida Agency for Persons with Disabilities Medicaid Family and Support Living Waiver Agreement from July 19, 2005 through July 18, 2006.

RECOMMENDATION: Approval

Tab 7 Approval of the Addendum Florida Agency for Persons with Disabilities Medicaid Waiver Services Agreement from July 1, 2005 through June 30, 2006.

RECOMMENDATION: Approval

C. Economic Development and Tourism

Tab 8 Approval of a Purchase Order in the amount of \$80,000.00 for WRDQ-TV from December 1, 2005 through September 30, 2006 for advertising Lake County's assets and special event promotional pieces.

RECOMMENDATION: Approval

Tab 9 Approval for the issuance of the Purchase Order in the amount of \$125,000.00 with Clear Channel Broadcasting, Inc. for advertising services throughout their network of stations for the promotion of Lake County and events and the possible use of billboards along the Florida Turnpike from December 1, 2005 through September 30, 2006.

RECOMMENDATION: Approval

D. Employee Services

Tab 10 Approval of an offer to settle Judd Spence's claim for property damage, subject to the County Attorney's review and approval.

RECOMMENDATION: Approval

E. Procurement Services

Tab 11 Approval to award the contract for Livestock Handling Equipment to Circle "R" Ranch & Livestock Equipment as a Sole Source for \$33,592.00.

RECOMMENDATION: Approval

F. Public Safety

Tab 12 Approval and execution of the Fiscal Year 2005-200 Emergency Management Preparedness and Assistance (EMPA) Trust Fund Base Grant Agreement with the State of Florida Division of Emergency Management.

RECOMMENDATION: Approval

G. Public Works

Tab 13 Approval and authorization to release a Letter of Credit for Maintenance in the amount of \$15,380.00 posted for Shores of Lake Clair. Shores of Lake Clair consists of 21 lots – Commission District 2.

RECOMMENDATION: Approval

Tab 14 Approval and authorization to return funds in the amount of \$8,500.00 posted for Magnolia Farms. Magnolia Farms consists of eight lots – Commission District 4.

RECOMMENDATION: Approval

Tab 15 Approval and authorization to release a Performance Bond in the amount of \$2,568,363.34 posted for Hartwood Reserve Phase I. Hartwood Reserve Phase I consists of 183 lots – Commission District 2.

RECOMMENDATION: Approval

Tab 16 Approval and authorization to release a Letter of Credit for Maintenance in the amount of \$8,792.50 posted for Lake Harris Ridge. Lake Harris Ridge consists of 11 lots – Commission District 1.

RECOMMENDATION: Approval

Tab 17 Approval to accept the final plat for Fairways at Mt. Plymouth Phase IV and all areas dedicated to the public as shown on the Fairways at Mt. Plymouth Phase IV plat; accept a Maintenance Bond in the amount of \$88,345.52; execute a Developer's Agreement for Maintenance of Improvements between Lake County and Masterpiece Homes, Inc.; and execute a Resolution accepting the following roads into the County Road Maintenance System: Sand Bunker Lane (County Road Number 3887B) and Chip Shot Court (County Road Number 3887C). Fairways at Mt. Plymouth, Phase IV consists of 53 lots – Commission District 4.

RECOMMENDATION: Approval

Tab 18 Approval and execution of a Purchase Agreement with Anibal Saez, Jr. and Cheri A. Saez, for right of way, and authorization for the Chairman of the Board of County Commissioners to sign any and all documents necessary for closing, in conjunction with the South Dewey Robbins Road (Number 2625) Project and Dewey Robbins Road (Number 2824) Project, located in Section 5, Township 21, Range 25.

RECOMMENDATION: Approval

Tab 19 Approval and execution of a Purchase Agreement with Richard Kearns, for right of way, and authorization for the Chairman of the Board of County Commissioners to sign any and all documents necessary for closing, in conjunction with the CR 466A Project located in Fruitland Park.

RECOMMENDATION: Approval

V. PRESENTATION/PERSONAL APPEARANCES

A. PRESENTATION – 9:00 A.M. or as Soon Thereafter

1. PRESENTATION

PRESENTATION: Florida 4-H Proclamation

B. PERSONAL APPEARANCES – 9:00 A.M. or as Soon Thereafter

1. EMPLOYEE AWARDS

Presentation of Award to Employees with Five Years of Service

Scott A. Grippin, Aquatic Biologist/Supervisor, Public Works/Special Services/Mosquito/Aquatic Plant Management
Tracey R. Isbill, Training/Permitting Specialist, Growth Management/Building Services

Presentation of Award to Employees with Ten Years of Service

Ronald J. Searcy, Striping Crew Leader, Public Works/Road Operations/Signs/Signals & Striping
Ricky J. Magnus, Sign Technician, Public Works/Road Operations/Signs/Signals & Striping
Terry Rogers, Systems Administrator, Circuit Judges

Presentation of Award to Employee with Fifteen Years of Service

John K. Starcher, Survey Party Chief, Public Works/Engineering/Survey/Design

Presentation of Award to Employee with Twenty-Five Years of Service

Nicie A. Parks, Community Development Manager, Community Services/Housing and Community Development

Presentation of Award to Retiring Employee with Eighteen Years, Eleven Months of Service

Peggy Norman, Administrative Office Associate 1, Community Services/Children's Services

Presentation of Supervisor of the Quarter

Brenda Quattlebaum, Executive Management Associate, County Manager's Office

Presentation of Employee of the Quarter

Donnie Prevatt, Energy Maintenance Technician, Facilities Development and Management/Facilities Management/Energy Management

Presentation of Bright Idea Award

Loren Blackwell, Firefighter/EMT, Public Safety/Fire and Rescue

VI. COUNTY MANAGER'S DEPARTMENTAL BUSINESS (Tab 20 through 23)

A. Community Services

Tab 20 Approval for Lake County to participate in the National Association of Counties (NACo) Prescription Drug Discount Card Program.

RECOMMENDATION: Approval

B. Procurement Services

Tab 21 Approval to award RSQ 05-141, Underwriting Services for the County's limited general obligation and sales tax revenue bonds, to Banc of America Securities, Citigroup, Stifel, Nicolaus & Company, Incorporated, and First Southwest Company for three years with the option to renew for two additional years. Individual contracts will be negotiated at the time of each bond purchase.

RECOMMENDATION: Approval

C. Public Works

Tab 22 Approval and signature on the Developers Agreement between Lake County and The Villages of Lake-Sumter, Inc. for improvements to County Road 466 in Lake County.

RECOMMENDATION: Approval

Tab 23 Discussion concerning the possibility of doing a cost share agreement with the City of Mt. Dora to fund Lake Gertrude Stormwater Improvements.

VII. PUBLIC HEARING/CLOSED SESSION

A. PUBLIC HEARING – 9:00 A.M. or as Soon Thereafter

1. PUBLIC HEARING

Tab 24 **PUBLIC HEARING:** Ordinance Amending Section 14.18.03, Land Development Regulations, entitled Public Hearings

B. CLOSED SESSION – 9:30 A.M. or as Soon Thereafter

1. CLOSED SESSION

CLOSED SESSION: Pending Litigation

VIII. OTHER BUSINESS (Tab 25 and 26)

Tab 25 Appointment of Wayne S. Longo, Chief of Law Enforcement Operations, to represent the Lake County Sheriff on the Public Safety Coordinating Council.

Tab 26 Appointment of District 3 and District 3 representatives to the Solid Waste Advisory Committee.

IX. REPORTS

A. County Attorney (Tab 27 through 28)

Tab 27 Approval to advertise and authorization to negotiate agreements with the State Attorney and Public Defender for prosecution and representation of the Ordinance establishing residency requirements for certain criminal violators.

Tab 28 Approval of proposed Amendment to Declaration of Unity of Title between Crosland Britt Road, LLC and Lake County.

B. County Manager

C. Commissioner Hill – Chairman and District #1 (Tab 29)

Tab 29 Approval of Proclamation declaring November 2005 as Epilepsy Awareness Month.

D. Commissioner Pool – District #2

- E. Commissioner Stivender – District #3
- F. Commissioner Hanson – District #4
- G. Commissioner Cadwell – District #5

CITIZEN QUESTION AND COMMENT PERIOD

At this point in the meeting, the Board of County Commissioners will hear questions, comments and concerns from the citizens of Lake County. Action will not be taken by the Board at this meeting but questions may be answered by staff or issues may be referred for appropriate staff action. If further action is necessary, the item may be placed on the agenda for further review and consideration. NOTE: Zoning or code enforcement matters which may be coming before the Board at a later date should not be discussed until such time as they come before the Board in a public hearing.

The County Commission reserves the right to move any Agenda item to an earlier time during the day as its schedule permits, except in the case of items and appointments that have been advertised in a newspaper for a specific time.

Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if a person decides to appeal any decision made by the County Commission with respect to any matter considered at this Commission meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities needing assistance to participate in any of these proceeding should contact the Department of Facilities Development and Management at (352) 343-9760, 48 hours in advance of the scheduled meeting.

TENTATIVE AGENDA

NOVEMBER 8, 2005

- 9:00 A.M. Board Retreat at Leesburg Center for the Arts, Leesburg, FL
- 9:00 A.M. PRESENTATION: Dirt Road Issue by the Public Works Department
or as Soon
Thereafter
- 9:00 A.M. PRESENTATION: Financing Plans for Bond Issuances by the County Manager's Office
or as Soon
Thereafter
- 9:00 A.M. PRESENTATION: Government Facilities by the Facilities Development and Management
or as Soon Department
Thereafter
- 9:00 A.M. PRESENTATION: Leased Facilities by the County Attorney
or as Soon
Thereafter
- 9:00 A.M. PRESENTATION: Progress on the Branding Initiative by the County Manager's Office
or as Soon
Thereafter

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TENTATIVE AGENDA

NOVEMBER 15, 2005

- 9:00 A.M. Regular Meeting
- 9:00 A.M. PUBLIC HEARING: Ordinance concerning Lot Splits
or as Soon
Thereafter
- 9:00 A.M. PUBLIC HEARING: Ordinance regarding Distribution of Choose Life License Plate Revenue
or as Soon
Thereafter
- 9:00 A.M. PRESENTATION: Rural Land Stewardship Program
or as Soon
Thereafter
- 5:05 P.M. PUBLIC HEARING: Ordinance regarding Exempt Signs (Final Hearing)
or as Soon
Thereafter
- 5:05 P.M. PUBLIC HEARING: Ordinance amending Section 3.01.03, Lake County Code, Appendix E,
or as Soon Land Development Regulations, entitled Schedule of Permitted and Conditional Uses
Thereafter (Zoning Matrix) (Final Hearing)

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TENTATIVE AGENDA

NOVEMBER 22, 2005

- 9:00 A.M. Regular Meeting (Zoning and Road Vacations)
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